

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MARK DISCHINGER,

Civil No. 09-3361 (JRT/JSM)

Plaintiff,

v.

ORDER

EXTENDICARE HOMES, INC. AND
SERVICE EMPLOYEES
HEALTHCARE MINNESOTA, LOCAL
113 OF THE SERVICE EMPLOYEES
INTERNATIONAL UNION,

Defendants.

Andrew Jackola, **ANDREW T. JACKOLA, PLC**, 600 Inwood Avenue North, Suite 260, Oakdale, MN 55128, for plaintiff.

Noah Lipschultz, **LITTLER MENDELSON, PC**, 80 South Eighth Street, Suite 1300, Minneapolis, MN 55402, for defendant Extendicare Homes, Inc.

Roger Jensen, **MILLER O'BRIEND CUMMINS, PLLP**, One Financial Plaza, 120 South Sixth Street, Suite 2400, Minneapolis, MN 55402; Carol Baldwin, **JENSEN BELL CONVERSE & ERICKSON, PA**, 30 East Seventh Street, Suite 1500, St. Paul, MN 55101, for defendant Service Employees Healthcare Minnesota, Local 113 of the Service Employees International Union.

This matter is before the Court on the Stipulation of Dismissal with Prejudice filed by the parties on May 6, 2010 [Docket No. 17].

IT IS HEREBY ORDERED that the above-captioned action, is hereby **DISMISSED WITH PREJUDICE**, each party to bears its own costs.

Dated: May 7, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge